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BY FEDERAL EXPRESS

April 23, 1994

Mr. William F. Caton
Office of the Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

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Dear Mr. Caton:

On behalf of Hammett & Edison, Inc., Consulting Engineers, three copies are enclosed of our Reply Comments to Engineering Technology Docket 93-62, concerning Commission adoption of the ANSI/IEEE C95.1-1992 RFR standard. The deadline for filing reply comments to this docket is April 25, 1994, so these comments are timely filed.

Sincerely,

Dane E. Erickson

wp

Enclosures (3)

cc: Dr. Eleanor R. Adair (w/ encl.)
Dr. Om P. Gandhi (w/ encl.)
Mr. Ronald C. Petersen (w/ encl.)

Mr. Kenneth Brown, CapCities/ABC (w/ encl.)
Christopher D. Imlay, Esq. (w/ encl.)
Mr. Charles T. Morgan, Susquehanna Radio (w/ encl.)
Mr. Michael S. Newman, C.S.I. (w/ encl.)
Mr. Alan W. Parnau, P.E., CBS Radio (w/ encl.)
Mr. Milford K. Smith, Jr., Greater Media (w/ encl.)
Mr. Neil M. Smith, Smith and Powstenko (w/encl.)
Mr. E. Glynn Walden, Group W (w/ encl.)
Mr. Kelly T. Williams, NAB (w/ encl.)

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**Reply Comments of
Hammett & Edison, Inc.
Consulting Engineers**

ET Docket 93-62

**In the Matter of Guidelines
for Evaluating the Environmental
Effects of Radiofrequency Radiation**

April 23, 1994

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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Notice of Proposed Rule Making)

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Guidelines for Evaluating the)
Environmental Effects of)
Radiofrequency Radiation)

ET Docket No. 93-62

To: The Commission

Reply Comments of Hammett & Edison, Inc.

The firm of Hammett & Edison, Inc., Consulting Engineers, respectfully submits these reply comments in the above-captioned proceeding relating to radio frequency radiation ("RFR") guidelines. Hammett & Edison, Inc. is a professional service organization that provides consultation to commercial and governmental clients on communications, radio, television, and related engineering matters.

I. ANSI/IEEE C95.1-1992 Is Not a Consensus Standard

1. As a result of Hammett & Edison participation on Subcommittee 4 ("SC-4") of the Institute of Electrical and Electronics Engineers (IEEE) Standards Coordinating Committee 28 ("SCC-28"), we have been entitled to review and comment upon draft reply comments being circulated amongst SC-4 members for their concurrence. Such concurrence is required as part of the balloting process specified by IEEE protocols for its standards setting committees. SC-4 has jurisdiction over safety standards in the range 3 kHz-300 GHz and was the subcommittee that developed the IEEE C95.1-1991 Standard (although that development occurred prior to our direct participation on the subcommittee). That standard was, in turn, affirmed by the parent committee, SCC-28, which has jurisdiction for "Non-Ionizing Radiation" standards in general.

2. We could not concur with the first version of the SCC-28 reply comments we expect will be filed with the Commission in this rule making because that version flatly claimed that the ANSI/IEEE C95.1-1992 Standard adopted by American National Standards Institute is a "consensus standard." While it might be argued that the predecessor IEEE C95.1-1991 was a consensus standard, no such claim can be made for ANSI/IEEE C95.1-1992 because of the objections against the induced and contact current portions of that standard filed by us, by Capital



Reply Comments: ET Docket 93-62

Cities/ABC, Inc., by CBS Radio, by C.S.I. Telecommunications, by Greater Media, Inc., by Group W, by the National Association of Broadcasters, by Smith and Powstenko, and by Susquehanna Radio Corporation, all in 1992, objecting to adoption of IEEE C95.1-1991 as an American National Standard.

3. According to Webster's New Collegiate Dictionary (1975), the word "consensus" means "group solidarity in sentiment and belief" or "general agreement; unanimity." Formal objections filed with ANSI by five of this country's largest group radio station owners, by three consulting engineering firms, and by the NAB, representing approximately 10,000 radio and television broadcast stations, can hardly be dismissed, as attempted in the first paragraph to Item 5 (SC-4 Secretary's Report) to the June 12, 1993, IEEE SCC-28 SC-4 Minutes, as an objection "filed by D. Ericksen of Hammett & Edison who was supported by a few broadcasters." Further, it is our belief that, had word of what was contained in the IEEE C95.1-1991 Standard been made adequately known to the broadcasting industry, that standard would have been opposed in an equal fashion.

4. Although the second draft of the SC-4 reply comments were re-worded to claim only that IEEE C95.1-1991 is a consensus standard, rather than ANSI/IEEE C95.1-1992, the revised wording still results, in our opinion, in a misleading statement. Therefore, we could not change our negative ballot on the SC-4 reply comments to one of concurrence.

5. Hammett & Edison therefore wishes to make crystal clear, and a matter of record in this proceeding, its position that the ANSI/IEEE C95.1-1992 Standard is *not* a consensus standard.

II. ANSI/IEEE C95.1-1992 Should Be Adopted

6. As indicated in our January 21, 1994, initial Comments filed in this rule making proceeding, as justified by supporting arguments, and as supported by many of the comments filed by others, Hammett & Edison believes that the FCC should adopt the ANSI/IEEE C95.1-1992 Standard, provided that such adoption is made with four essential conditions:

- 1) The Commission should pre-empt, albeit on a limited basis, the promulgation by non-federal agencies of RF standards that are more restrictive,
- 2) The Commission should specify threshold distance for all classes and services of stations, beyond which no consideration of RF radiation effects need be made, but within which account must be taken of every such station,
- 3) The Commission should standardize the measurement device interface and the minimum observer effective height for induced body current measurements, and



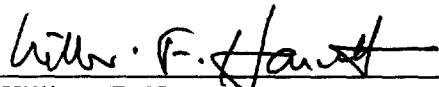
Reply Comments: ET Docket 93-62

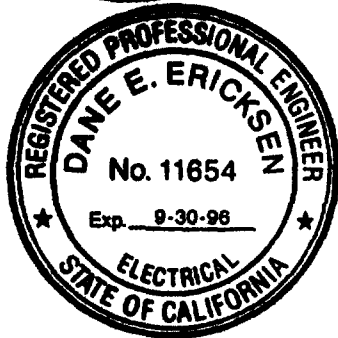
- 4) The Commission should hold in abeyance any requirement for measuring induced or contact body currents above 30 MHz until such time as reliable measurement devices are commercially available.

Respectfully submitted,

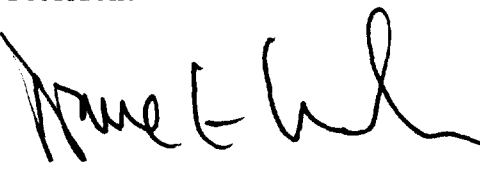


By


William F. Hammett, P.E.
President



By


Dane E. Ericksen, P.E.
Senior Engineer

April 23, 1994

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